

DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION*

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

AUTOMATED SYSTEM AND METHOD FOR PREPARING AN ASSAY READY BIOLOGICAL SAMPLE

and for which a patent application:

- is attached hereto and includes amendment(s) filed on (if applicable)
- was filed in the United States on December 10, 2003 as Application No. 10/734,063 (for declaration not accompanying application)
with amendment(s) filed on (if applicable)
- was filed as PCT international Application No. on and was amended under PCT Article 19 on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

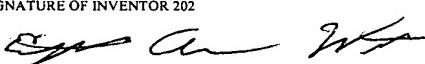
PROVISIONAL APPLICATION NUMBER	FILING DATE
60/432,200	December 10, 2002
60/451,219	February 27, 2003

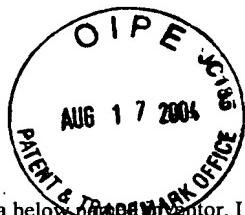
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NON-PROVISIONAL APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

* for use only when the application is assigned to a company, partnership or other organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2 0 1	FULL NAME OF INVENTOR	LAST NAME Marlowe	FIRST NAME Jon	MIDDLE NAME Carl
	RESIDENCE & CITIZENSHIP	CITY Bothell	STATE OR FOREIGN COUNTRY Washington	COUNTRY OF CITIZENSHIP U.S.A.
	POST OFFICE ADDRESS	STREET 16906 123rd Place NE	CITY Bothell	STATE OR COUNTRY WA
	SIGNATURE OF INVENTOR 201 		DATE 20-Ju-2004	
2 0 2	FULL NAME OF INVENTOR	LAST NAME West	FIRST NAME Elizabeth	MIDDLE NAME Anne
	RESIDENCE & CITIZENSHIP	CITY Seattle	STATE OR FOREIGN COUNTRY Washington	COUNTRY OF CITIZENSHIP U.S.A.
	POST OFFICE ADDRESS	STREET 1237 N.E. 102nd Street	CITY Seattle	STATE OR COUNTRY WA
	SIGNATURE OF INVENTOR 202 		DATE 7/14/2004	
2 0 3	FULL NAME OF INVENTOR	LAST NAME Phan	FIRST NAME Hienthuc	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY Seattle	STATE OR FOREIGN COUNTRY Washington	COUNTRY OF CITIZENSHIP U.S.A.
	POST OFFICE ADDRESS	STREET 4220 S. Eddy Street	CITY Seattle	STATE OR COUNTRY WA
	SIGNATURE OF INVENTOR 203 		DATE June 28, 2004	
2 0 4	FULL NAME OF INVENTOR	LAST NAME Schultz	FIRST NAME Emily	MIDDLE NAME Ruth
	RESIDENCE & CITIZENSHIP	CITY Bellevue	STATE OR FOREIGN COUNTRY Washington	COUNTRY OF CITIZENSHIP U.S.A.
	POST OFFICE ADDRESS	STREET 15719 S.E. 4th Street	CITY Bellevue	STATE OR COUNTRY WA
	SIGNATURE OF INVENTOR 204 		DATE	
2 0 5	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY
	SIGNATURE OF INVENTOR 205		DATE	



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APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED	
			YES <input type="checkbox"/>	NO <input type="checkbox"/>
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PROVISIONAL APPLICATION NUMBER	FILING DATE
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2 0 1	FULL NAME OF INVENTOR	LAST NAME Marlowe	FIRST NAME Jon	MIDDLE NAME Carl
	RESIDENCE & CITIZENSHIP	CITY Kirkland	STATE OR FOREIGN COUNTRY Washington	COUNTRY OF CITIZENSHIP U.S.A.
	POST OFFICE ADDRESS	STREET 11803 93rd Ave., N.E. # 108	CITY Kirkland	STATE OR COUNTRY WA
	SIGNATURE OF INVENTOR 201		DATE	
2 0 2	FULL NAME OF INVENTOR	LAST NAME West	FIRST NAME Elizabeth	MIDDLE NAME Anne
	RESIDENCE & CITIZENSHIP	CITY Seattle	STATE OR FOREIGN COUNTRY Washington	COUNTRY OF CITIZENSHIP U.S.A.
	POST OFFICE ADDRESS	STREET 1237 N.E. 102nd Street	CITY Seattle	STATE OR COUNTRY WA
	SIGNATURE OF INVENTOR 202		DATE	
2 0 3	FULL NAME OF INVENTOR	LAST NAME Phan	FIRST NAME Hienthuc	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY Seattle	STATE OR FOREIGN COUNTRY Washington	COUNTRY OF CITIZENSHIP U.S.A.
	POST OFFICE ADDRESS	STREET 4220 S. Eddy Street	CITY Seattle	STATE OR COUNTRY WA
	SIGNATURE OF INVENTOR 203		DATE	
2 0 4	FULL NAME OF INVENTOR	LAST NAME Schultz	FIRST NAME Emily	MIDDLE NAME Ruth
	RESIDENCE & CITIZENSHIP	CITY Bellevue	STATE OR FOREIGN COUNTRY Washington	COUNTRY OF CITIZENSHIP U.S.A.
	POST OFFICE ADDRESS	STREET 15719 S.E. 4th Street	CITY Bellevue	STATE OR COUNTRY WA
	SIGNATURE OF INVENTOR 204 <i>Emily R Schultz</i>		DATE 6/18/04	
2 0 5	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY
	SIGNATURE OF INVENTOR 205		DATE	



POWER OF ATTORNEY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Marlowe, et al.

Confirmation No.: 9078

Serial No.: 10/734,063

Art Unit: 1635

Filed: December 10, 2003

Examiner: To be assigned

For: AUTOMATED SYSTEM AND METHOD
FOR PREPARING AN ASSAY READY
BIOLOGICAL SAMPLE

Attorney Docket No.: 9301-232-999

**POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71
WITH STATEMENT UNDER 37 C.F.R. 3.73(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Practitioners at Customer Number 20583 all of Jones Day, whose address is 222 East 41st Street, New York, New York 10017, as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71.

Please direct all correspondence for this application to Customer no. 20583.

Statement Under 37 C.F.R. 3.73(b)

Rosetta Inpharmatics LLC states that it is:

- the assignee of the entire right, title, and interest; or
 an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is %

in the patent application/patent identified above by virtue of either:

- An assignment from the inventor(s) of the patent application/patent identified above.
The assignment was recorded in the United States Patent and Trademark Office on
at Reel , Frame , or for which a copy thereof is attached.

OR

- A chain of title from the inventor(s), of the patent application/patent identified above,
to the current assignee as shown below:

1. From: To:

The document was recorded in the United States Patent and Trademark Office on
at Reel , Frame , or for which a copy thereof is attached.

2. From: To:

The document was recorded in the United States Patent and Trademark Office on
at Reel , Frame , or for which a copy thereof is attached.

3. From: To:
The document was recorded in the United States Patent and Trademark Office on
at Reel , Frame , or for which a copy thereof is attached.

- Additional documents in the chain of title are listed on a supplemental sheet.
- Copies of assignments or other documents in the chain of title are attached.
[Note: A separate copy (i.e., the original assignment document or a true copy of the
original document) must be submitted to Assignment Division in accordance with 37
CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See
MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

ASSIGNEE: Rosetta Inpharmatics LLC

Date:

7/21/04

Signature:



Typed Name:

Alan B. Sachs

Position/TITLE:

Senior Director and Site-Head